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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,345	12/22/2000	Hans A. Lichtfuss	10002593-1	9781

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EXAMINER

GIBBS, HEATHER D

ART UNIT PAPER NUMBER

2622

DATE MAILED: 11/10/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/748,345

Applicant(s)

LICHTFUSS, HANS A.

Examiner

Heather D Gibbs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

DETAILED ACTION

*Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Ma (US 6,078,407).

Regarding claim 1, which is representative of claims 20-22, Ma teaches of a device comprising: a display 12, a photo sensor array 34, wherein said photo sensor array is movable relative to said display (Col 2 Lines 9-19).

Considering claim 2, Ma teaches of a lid, which is hingedly attached to the remainder of said device (Col 1 Lines 65-67-Col 2 Lines 1-2).

Regarding claim 3, Ma teaches wherein said display is mounted on said lid (Fig 1).

Regarding claim 4, Ma teaches wherein said device is a digital picture frame device (Fig 1).

Considering claims 5-6, Ma teaches wherein said photo sensor array is CIS or CCD photo sensor array (Col 2 Lines 18-20).

Considering claim 7, Ma teaches of a device comprising a display 12; a photo sensor array 34; a lid which is hingedly attached to the remainder of said device; and wherein said display is mounted on said lid (Col 1 Lines 65-67-Col 2 Lines 1-19; Fig 1).

Regarding claim 8, Ma teaches wherein said photo sensor array is moveable relative to said display (Col 2 Lines 9-19).

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Regarding claim 9, Ma teaches wherein said device is a digital picture frame device (Fig 1).

Considering claims 10-11, Ma teaches wherein said photo sensor array is CIS or CCD photo sensor array (Col 2 Lines 18-20).

Regarding claim 12, Ma teaches wherein said photo sensor array is a two-dimensional photo sensor array (Col 2 Lines 21-27).

Regarding claim 13, Ma teaches a device comprising: a display 12; a photo sensor array 34; a central processing unit 4 operatively connected to both said display and said photo sensor array; and wherein said device is a digital picture frame device (Col 1 Lines 65-67-Col 2 Lines 1-19,28-35; Fig 1)

Considering claim 14, Ma teaches wherein said photo sensor array is moveable relative to said display (Col 2 Lines 9-19).

Considering claim 15, Ma teaches of a lid, which is hingedly attached to the remainder of said device (Col 1 Lines 65-67-Col 2 Lines 1-2).

Regarding claim 16, Ma teaches wherein said display is mounted on said lid (Fig 1).

Regarding claims 17-18, Ma teaches wherein said photo sensor array is CIS or CCD photo sensor array (Col 2 Lines 18-20).

Regarding claim 19, Ma teaches wherein said photo sensor array is a two-dimensional photo sensor array (Col 2 Lines 21-27).

Considering claim 23, Ma teaches wherein said photo sensor array is moveable relative to said display (Col 2 Lines 9-19).

Considering claim 24, Ma teaches wherein said display is mounted on said lid (Fig 1).

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Regarding claim 25, Ma teaches a method comprising displaying at least a portion of said image of said object on said display (Col 2 Lines 28-47).

Considering claim 26, Ma teaches a method comprising displaying at least of portion of said display while said first data set is being generated (Col 2 Lines 28-47).

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claim 26 recites the limitation "said first data set" in the last two lines of claim 26.

There is insufficient antecedent basis for this limitation in the claim.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

hdg



Heather D Gibbs

Examiner

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EDWARD COLES

SUPERVISORY PATENT EXAMINER  
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